

ITEM NO: _____

PREPARED BY: Johnathan Russell

APPROVED BY: _____

A resolution approving an agreement in an amount not to exceed \$950,000 with Memphis Area Transit Authority for the period July 1, 2009 through June 30, 2013 for the provision of fares being provided at the reduced rate of twenty-five cents (\$.25) per rider on days that the Health Department's Pollution Control Section predicts "code orange" or "code red" ozone days. This item requires expenditures of Federal grant funds in an amount not to exceed \$950,000 previously appropriated by item #5 adopted on December 22, 2008. Resolution sponsored by Commissioner Joyce Avery.

WHEREAS, That Shelby County Government, through the Health Department's Air Quality Improvement Branch ("AQIB") has received a fully executed federal through State grant funded through the Congestion Mitigation Air Quality section of the Federal Aid Highway Act in an amount of Five Million One-hundred Thousand (\$5,100,000) dollars; and

WHEREAS, That grant funds several projects, including the provision of One Million (\$1,000,000) to subsidize a reduced fare ride on Memphis Area Transit Authority ("MATA") revenue vehicles during high ozone days in Memphis; and

WHEREAS, That the Shelby County Board of Commissioners approved by resolution the acceptance of this grant and the budget to expend this grant on December 22, 2008; and

WHEREAS, That AQIB desires to execute a Memorandum of Agreement ("MOA") with MATA to facilitate payment of said grant funds to MATA for the reduced fare ozone action days in an amount not to exceed \$950,000.00 for the period of July 1, 2009 through June 30, 2013 .

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the Memorandum of Agreement ("MOA") between Shelby County Government ("County") and Memphis Area Transit Authority ("MATA") to subsidize MATA for providing reduced fares to its riders during ozone action days for the period July 1, 2009 through June 30, 2013, funded via federal through State grant funds through the Congestion Mitigation Air Quality section of the Federal Aid Highway Act in an amount not to exceed \$950,000.00 is hereby approved.

BE IT FURTHER RESOLVED, That the County Mayor is hereby authorized to execute the said agreement on behalf of Shelby County Government, an executed copy of which is to be placed on file in the Purchasing Department.

BE IT FURTHER RESOLVED, That the County Mayor and the Director of Administration and Finance are authorized to issue their warrant or warrants to the extent of appropriations made in this resolution and to take proper credit in their accounting therefore.

A C Wharton, Jr., County Mayor

Date: _____

ATTEST:

Clerk of County Commission

ADOPTED: _____

SUMMARY SHEET

I. Description of Item

Requesting approval of an agreement between Shelby County Government and Memphis Area Transit Authority to use Federal Grant funds in connection with the Congestion Mitigation Air Quality program to subsidize MATA for providing reduced fares (\$.25 per rider) to riders on ozone action days. This would be for the period of July 1, 2009 through June 30, 2013 in an amount not to exceed \$950,000.00.

II. Source and Amount of Funding

Congestion Mitigation Air Quality program Fund 390-400437-6446	<u>\$950,000.00</u>
---	----------------------------

III. Additional Information Relevant to Approval of this Item

- A. Administration recommends approval of this resolution.
- B. There is no cost to the County for this activity.
- C. MATA will agree to operate their fixed route buses, paratransit buses, and rail trolleys for an entire day at the reduced rate of twenty-five cents (\$.25) per rider upon being notified by the Health Department's Pollution Control Section the day prior of the predicted ozone "code orange" or red ozone day. MATA also agree to keep a record of the ridership for those reduced fare days and provide those records in written or electronic form to AQIB. MATA agrees to invoice AQIB for the cost of those subsidized rides as services are rendered.
- D. AQIB shall submit all reduced fare invoices sent by MATA to Shelby County for payment, and the Pollution Control Section will notify MATA and the marketing company no later than 4 PM of the preceding day of the prediction of a code orange or code red ozone conditions for the following day.
- E. Both MATA and AQIB shall collaboratively undertake marketing and promoting of the reduced fare ozone action days and fund these efforts through their own budgets as funds are made available.